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# JFW

**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

Application Number	10/675,588
Filing Date	September 30, 2003
First Named Inventor	Mickey Darvial
Art Unit	3634
Examiner Name	Sarah L. Purol
Attorney Docket Number	44046.103.250.1

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ENCLOSURES (Check all that apply)		
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<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Fredrikson & Byron		
Signature			
Printed name	John S. Parzych		
Date	5/1/06	Reg. No.	52,097

**CERTIFICATE OF TRANSMISSION/MAILING**

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Typed or printed name	Jill Schultz	Date	05/01/2006

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Darvial

Serial No.: 10/675,588

Filing Date: September 30, 2003

For: RACKING SYSTEM AND  
RELATED METHODS

To: Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

) Examiner: Purol, Sarah L.  
)  
)  
) Attorney Docket: 44046.103.250.1  
)  
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) Art Unit: 3634  
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on this 1<sup>st</sup> day of MAY, 2006

By Jill Schultz  
Jill Schultz

**STATEMENT OF SUBSTANCE OF INTERVIEW**

Applicant's representatives would like to thank Examiner Purol for extending the courtesy of a telephonic interview on April 10, 2006 to discuss this case. The following recordation of the substance of the interview is believed to be complete and proper in accordance with MPEP 713.04. It is requested the Examiner notify the undersigned if the Examiner believes this statement contains any inaccuracies or if the Examiner believes this statement is otherwise not complete and proper.

Interview Participants: (1) Examiner Sarah L. Purol and (2) Applicant's attorney, John S. Parzych.

Agreement was not reached during the interview.

No exhibit or demonstration was shown during the interview.

US Patent Nos. 5,924,577 (Gessert) and 6,739,463 (Wishart et al.) were discussed during the interview.

Claims 1 and 14, among others, were discussed during the interview.

During the interview, Applicant's attorney explained that none of the cited references, used solely or in combination, teach racking systems having a central wall from which separating planks and supporting planks could be mounted *with respect to each other* at distinct heights *as well as* at distinct lateral positions. In turn, if the above-described feature were built into a new independent claim along with the elements of independent claim 1, Applicant's attorney asserted that such new independent claim should be patentable in light of the cited references. Examiner Purol stated that she would consider such new independent claim accordingly.

No other pertinent matters were discussed during the interview.

Respectfully submitted,

Dated: 5/1/06



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